



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Dr. and Mrs. Gordon Roget Property (Parcel 1227)

MEETING DATE: December 15, 1993

PREPARED BY: Parks and Recreation Director

RECOMMENDED ACTION: That the City Council accept Dr. and Mrs. Gordon Roget property as park land and seek to acquire the Dunscombe property or like acreage attached to the Roget parcel to make a 7½ to 8 acre park.

BACKGROUND INFORMATION: By emergency action at last evening's Parks and Recreation Commission meeting, the Commission voted 5-0 to recommend to the City Council to accept Dr. and Mrs. Gordon Roget property offer for park land and requests the Council to seek to acquire additional acreage (3½ to 4 acres) next to said property for a 7½ to 8 acre park site. Staff and Commission indicate that the 7½ to 8 acre park would be consistent with the Parks and Recreation master plan for park location and acreage.

In another vote related to this subject, the Commission supported (5-0) the position that the Council and City Administration must be aware and allow for proper park maintenance staffing as this and other park lands are secured to maintain existing and future acquisitions (i.e., the City has just acquired 14 more acres of land at Westgate Park plus hopefully the Roget property and at the same time cut (2) full time Park Maintenance Worker II positions and reduced seasonal help by 20% in the maintenance end of Parks Division operations).

The Commission is excited about the Roget offer and encourages the City Council to accept the property and its park use requested by the family. (See exhibit enclosed for additional information).

FUNDING:

Whatever would come about with the acceptance of the property - we will have to maintain this area and if the City Council sees fit (our recommendation) to purchase the additional property - the costs of that land and general upkeep.

Ron Williamson, Parks and Recreation Director

APPROVED: _____

THOMAS A. PETERSON
City Manager



recycled paper

PARKS AND RECREATION COMMISSION COMMUNICATION

EXHIBIT A

TO: The Lodi Parks & Recreation Commission **DATE OF MEETING:** 12/7/93
FROM: The Director's Office
SUBJECT: Dr. and Mrs. Gordon Roget Property (parcel 1227) Possibly Being Willed to the City
Action required prior to December 31, 1993

TYPE ACTION NEEDED: Review and recommendation of Commission.

PREPARED BY: Ron Williamson, Parks and Recreation Director

RECOMMENDED ACTION: That the Parks and Recreation Commission under special and emergency conditions, review the willing of 4.5 acres of land (parcel 1227) by the Roget family to the City of Lodi.

BACKGROUND INFORMATION: As you may know, the Roget family, especially Gordon, was very active with the City of Lodi's youth programs through the Booster of Boys and Girls Sports Organization (BOBS) over many years. His children all went through the BOBS programs for which he was always supportive and grateful.

Friday, December 3, 1993, Mrs. Roget's (Gordon passed away some time ago) attorney contacted the City and initiated through real estate broker, Jeff Kirst, the Roget's deeding over the land to the City for the benefit of the community and tax purposes. With this in mind, it needs to be accomplished by December 31, 1993.

We therefore, ask for your consideration of this gift of land and the possible suggestion that a parcel next to the Roget property, 3.5 acres owned by the Dunscombe family, be looked into for purchase to make an 8 acre park site. This land, in this area, is consistent with our unapproved Parks and Recreation Master Plan to develop a park in this area of Lodi.

I would also suggest that two other items be considered in taking over this property - at the appropriate time the City contract with a licensed landscape architect to do a site specific master plan and that the Council realize that adding additional park land to our inventory requires maintenance staff to maintain said land.

Your consideration of this deeded land is appreciated and it's staff and city's hope you will see your way to accept the above recommendation and move it ahead to the City Council for acceptance.

FUNDING CONSIDERATION OR IMPACT: Apparently none for the Roget property. For the Dunscombe property, an appraisal would be done and the City would, most likely, need to purchase same through whatever method they can. Cost down the road, of course, will come in the form of architectural master planning, development of the site, maintenance and upkeep. I would assume land purchase and development will come from development impact fees and the rest will be taken care of through our general operating budget.

RW/sh

Attachments

15 JUL 1951



CITY COUNCIL

PHILLIP A. PENNINO, Mayor
JACK A. SIEGLOCK
Mayor Pro Tempore
RAY G. DAVENPORT
STEPHEN J. MANN
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

THOMAS A. PETERSON
City Manager

JENNIFER M. PERRIN
City Clerk

BOB McNATT
City Attorney

December 20, 1993


Mrs. Gordon Roget
c/o LeDon Bader
1124a West Tokay
Lodi, CA 95240


Dear Mrs. Roget:

The Lodi City Council would like to express its sincere appreciation for your kind and generous donation of land to the City of Lodi to be used as a future park.

It is with this type of generosity and caring by local citizens such as yourself that Lodi may continue to be a wonderful community.


We look forward to sharing our ideas for the future of this park, and thank you again for your kind-hearted donation.


JACK A. SIEGLOCK
MAYOR


STEVEN J. MANN
MAYOR PRO TEMPORE


RAY G. DAVENPORT
COUNCIL MEMBER


PHILLIP PENNINO
COUNCIL MEMBER


JOHN R. (RANDY) SNIDER
COUNCIL MEMBER

WHEN RECORDED MAIL TAX
STATEMENT AND RECORDED
DOCUMENT TO

CITY CLERK
CITY OF LODI
CALL BOX 3006
LODI, CALIFORNIA 95241-1910

SPACE ABOVE THIS LINE FOR RECORDER'S USE

DEED

Nancy M. Roget, as Trustee of the Roget, Trust, established June 10, 1993

do _____ hereby GRANT to the CITY OF LODI, a municipal corporation of the State of California, all that real property situate in the City of Lodi, County of San Joaquin, State of California, described as follows:

PLEASE SEE ATTACHED

Dated: _____

This document MUST be notarized. Please attach proper notarial acknowledgment.

Description approved:

Sharon G. Welch, Associate Civil Engineer

DATE

12/28/93

File No. _____



This is to certify that the interest in real property conveyed by the deed or grant
dated 12/17/93 from Nancy M. Roget, as Trustee of the
Roget, Trust, established June 10, 1993

to the City of Lodi, a municipal corporation, is hereby accepted by order of the
undersigned officer on behalf of the City Council of Lodi pursuant to authority
conferred by Resolution No. 89-51 adopted by the City Council on May 3, 1989,
and the grantee consents to the recordation thereof by its duly authorized officer.

Dated: December 28, 1993

Jennifer M. Pearson
City Clerk of the City of Lodi

(SEAL)

File No. 2000

RECORDING REQUESTED BY AND RETURN TO:

LAW OFFICES OF LADON G. BADER
1124 WEST TOKAY STREET
LODI, CALIFORNIA 95240

MAIL TAX STATEMENTS TO:

CITY OF LODI
POST OFFICE BOX 3006
LODI, CALIFORNIA 95241-1910

GIFT DEED

=====

FOR NO CONSIDERATION, NANCY M. ROGET, as Trustee of the ROGET, TRUST, established June 10, 1993, hereby GRANTS to THE CITY OF LODI, A MUNICIPAL CORPORATION, until such time as it shall cease to be used for a park or nature preserve by or for the general public, the following described real property in the City of Lodi, County of San Joaquin, State of California:

The North 780.96 feet of the West 251.00 feet of the East 1260.00 feet of the South one-half of the Southeast one-quarter of Section 10, Township 3 North, Range 6 East, Mount Diablo Base and Meridian, San Joaquin County, California, containing 4.500 acres.

TOGETHER with a right-of-way for roadway purposes over the West 25 feet of the West 251.00 feet of the East 1260.00 feet of the South one-half of the Southeast one-quarter of Section 10, Township 3 North, Range 6 East.

APN: 027-040-16

DATED: 12-17-93

Nancy M. Roget
NANCY M. ROGET, TRUSTEE

STATE OF Minnesota

COUNTY OF Ramsey

On 17 day of Dec, 1993, before me, the undersigned notary public, personally appeared NANCY M. ROGET, TRUSTEE OF THE ROGET TRUST, ESTABLISHED June 10, 1993, who

[] Personally known to me

[X] Proved to me on the basis of satisfactory evidence

to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the same.

WITNESS my hand and official seal.

Marnie G. Thompson
NOTARY PUBLIC

Name(s) shown on your income tax return

GORDON B. & NANCY M. ROGET

Identifying number

504-07-8153

Section B—Appraisal Summary—Include in this section only items (or groups of similar items) for which you claimed a deduction of more than \$5,000 per item or group. Report contributions of certain publicly traded securities only in Section A.

If you donated art, you may have to attach the complete appraisal. See the Note in Part I below.

Part I Information on Donated Property—To be completed by the taxpayer and/or appraiser.

4 Check type of property:

- ☐ Art* (contribution of \$20,000 or more) ☒ Real Estate ☐ Gems/Jewelry ☐ Stamp Collections
☐ Art* (contribution of less than \$20,000) ☐ Coin Collections ☐ Books ☐ Other

*Art includes paintings, sculptures, watercolors, prints, drawings, ceramics, antique furniture, decorative arts, textiles, carpets, silver, rare manuscripts, historical memorabilia, and other similar objects.

Note: If your total art contribution deduction was \$20,000 or more, you must attach a complete copy of the signed appraisal. See instructions.

5 (a) Description of donated property (if you need more space, attach a separate statement)		(b) If tangible property was donated, give a brief summary of the overall physical condition at the time of the gift		(c) Appraised fair market value	
A	4.5 acres with Reserved Rights				
B					
C					
D					

(d) Date acquired by donor (mo., yr.)	(e) How acquired by donor	(f) Donor's cost or adjusted basis	(g) For bargain sales, enter amount received	See instructions	
				(h) Amount claimed as a deduction	(i) Average trading price of securities
A 4-22-93	Inherited				
B					
C					
D					

Part II Taxpayer (Donor) Statement—List each item included in Part I above that is separately identified in the appraisal as having a value of \$500 or less. See instructions.

I declare that the following item(s) included in Part I above has to the best of my knowledge and belief an appraised value of not more than \$500 (per item). Enter identifying letter from Part I and describe the specific item:

Signature of taxpayer (donor) ▶

Date ▶

Part III Certification of Appraiser

I declare that I am not the donor, the donee, a party to the transaction in which the donor acquired the property, employed by, married to, or related to any of the foregoing persons, or an appraiser regularly used by any of the foregoing persons and who does not perform a majority of appraisals during the taxable year for other persons.

Also, I declare that I hold myself out to the public as an appraiser or perform appraisals on a regular basis; and that because of my qualifications as described in the appraisal, I am qualified to make appraisals of the type of property being valued. I certify that the appraisal fees were not based upon a percentage of the appraised property value. Furthermore, I understand that a false or fraudulent overstatement of the property value as described in the qualified appraisal or this appraisal summary may subject me to the civil penalty under section 6701(a) (aiding and abetting the understatement of tax liability). I affirm that I have not been barred from presenting evidence or testimony by the Director of Practice.

Sign

Here

Signature ▶

Title ▶

Date of appraisal ▶

Business address (including room or suite no.)


Identifying number

City or town, state, and ZIP code

Part IV Donee Acknowledgment—To be completed by the charitable organization.

This charitable organization acknowledges that it is a qualified organization under section 170(c) and that it received the donated property as described in Section B, Part I, above on _____ (Date)

Furthermore, this organization affirms that in the event it sells, exchanges, or otherwise disposes of the property (or any portion thereof) within 2 years after the date of receipt, it will file an information return (Form 8282, Donee Information Return) with the IRS and furnish the donor a copy of that return. This acknowledgment does not represent concurrence in the claimed fair market value.

Name of charitable organization (donee)	Employer identification number
City of Lodi, a Municipal Corporation	94-6000361
Address (number, street, and room or suite no.)	City or town, state, and ZIP code
221 West Pine Street	Lodi, CA 95240
Authorized signature	Title
	City Manager
	Date
	DEC. 28, 1993